

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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YAN BARSHAY,

Plaintiff,

-against-

20 CIVIL 8579 (KPF)

**JUDGMENT**

MAHESH NAITHANI,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated February 16, 2023, Defendant's motion to dismiss the SAC is GRANTED. Because (i) Plaintiff has already amended the complaint in this case twice; (ii) Defendant has filed two successful motions to dismiss the operative complaint; and (iii) any amendment would be futile, particularly in light of the Release, the Court denies further leave to amend. See, e.g., *Bellocchio v. Garland*, No. 21 Civ. 3280 (KPF), 2022 WL 2702445, at \*6 (S.D.N.Y. July 12, 2022) (collecting cases); accordingly, the case is closed.

**Dated:** New York, New York

February 16, 2023

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**